

**UNITED STATES DISTRICT COURT
For the WESTERN DISTRICT OF NORTH CAROLINA**

MISCELLANEOUS NO. 3:19-mc-7

**IN RE: OPERATON OF THE U.S. DISTRICT COURT FOR
 THE WESTERN DISTRICT OF NORTH CAROLINA
 DURING A LASPE OF FUNDS**

ORDER

THIS MATTER is before the Court upon its own motion.


In the event an appropriation or continuing resolution funding the operation of this court is not passed by Congress and signed by the President to avoid a lapse of funds to the federal judiciary, then this Order shall take effect until superseded by such appropriation or continuing resolution.

1. As the dispensing of justice mandated by the Constitution and essential to any government of free people, all employees of the United States District Court for the Western District of North Carolina, including staff of the U.S. Probation and Pretrial Office, are hereby deemed to be **essential** to support the court with the exercise of judicial powers and are necessary for the orderly management of mission-critical operations until further notice from this court or the Unit Executive.
2. As Article III of the Constitution recognizes that the judicial power of the United States is vested in the Supreme Court and such inferior federal courts as Congress ordains and establishes, and because all of the Court Units of this District are already staffed below current work measurement formulas, this Court finds that all employees of the United

States District Court for the Western District of North Carolina are identified as essential, are ordered to report to work for their regularly scheduled hours and to continue all normal operations of the Court, except as set forth below.

3. All travel not needed to support court hearings or other mission-critical operations shall be suspended. Unit Executives have the discretion to determine mission-critical travel requests.
4. No new personnel shall be hired without the consent of the Chief Judge. Unit Executives may proceed with recruiting, interviewing and other functions associated with staffing their offices but shall not place any new hires on the payroll without the Chief Judge's approval.
5. The General Services Administration, the United States Marshal Service shall be served a copy of this Order and are requested to maintain all functions necessary for the continued safe use of all United States District Court facilities in the Western District of North Carolina.

IT IS SO ORDERED on behalf of this court this 9th day of January 2019.


Frank D. Whitney, Chief
U.S. District Court Judge